

REMARKS

Claims 1, 3-25, 27-28, 36-37, and 39-55 are pending in this application, and claims 2, 26, 29-35 and 38 have been canceled.

Applicants note with appreciation the Examiner's indication in the Office Action that claim 28 is allowable and that dependent claims 6, 7, 13, 19, 26-27, and 38-39 would be allowable if rewritten in independent form. New claims 40-55 have been introduced to pursue this allowable subject matter. In particular, new independent claim 40 incorporates the features of original claims 1 and 6. Likewise, new independent claims 45 and 50 combine the features of original claim 1 with dependent claims 7 and 13, respectively.

Applicants believe that all of the pending independent claims are allowable in their current form. In particular, the features of canceled claim 2 have been incorporated into claim 1. As explained below, Applicants will submit a declaration or prior invention pursuant to 37 CFR 1.131 to overcome the Examiner's rejection based on 102(e). The features of allowable claim 26 have been incorporated into claim 14, independent claim 28 is allowed, and claim 36 now includes the features of allowable claim 38.

The introduction of new claims and claim amendments provided herein serve a useful clarification purpose that is independent of patentability. Therefore, Applicants submit that the clarifications provided herein do not limit the scope of equivalents afforded the claims.

Confirmation of Election

In response to a restriction requirement, the Applicants elected the claims of Group I (claims 1-28 and 36-39). Applicants have canceled the non-elected claims in this response in favor of the newly added claims. Applicants reserve the right to pursue the canceled claims of Group II in a divisional application.

Proposed Correction of Drawings

The Examiner objected to Figures 1 and 2A-2C for the reasons provided on page 2 of the Office Action. In response, and in accordance with MPEP §608.02(g), Applicants have enclosed a proposed drawing correction for the Examiner's consideration and approval.

The Claim Objections

The Examiner objected to claim 27 for the reasons provided on page 2 of the Office Action. In particular, the Examiner objected to a reference to a "split" vent pin in the preamble of dependent claim 27 when the preamble of independent claim 14 did not use this term. In response, Applicants have amended claim 27 in the manner suggested by the Examiner. Applicants have also amended other claims having similar usage of the term "split" to be in accordance with the Examiner's suggested claim language.

The Examiner also objected to claim 36 for the reasons provided on page 3 of the Office Action. In response, Applicants have once again used the language suggested by the Examiner to clarify the language of the claim. In view of these clarifications to the claims, Applicants submit that the claim objections have been resolved.

The Claim Rejections

The 102(b) Rejections based on Takano '116, Schultz '586, and JP 1-301219

The Examiner rejected claims 1, 3-5 and 8-12 as anticipated by U.S. Patent No. 5,874,116 to Takano, claims 1 and 3-4 as anticipated by U.S. Patent No. 2,378,586 to Schultz, and claims 1 and 3-4 as anticipated by Japanese reference 1-301219 for the reasons provided on pages 3-4 of the Office Action.

While Applicants disagree with the reasons provided by the Examiner for rejecting the claims, Applicants respectfully submit that these rejections are moot in view of the incorporation of the features of claim 2 in to independent claim 1. The Examiner made no rejection of claim 2 based on any of these references.

The 102(e) Rejections based on Wieder '765

The Examiner rejected claims 1-5 under 35 U.S.C. § 102(e) as anticipated by U.S. Patent No. 6,367,765 to Wieder for the reasons provided on page 4 of the Office Action. Applicants disagree with the Examiner's grounds for relying on the '765 patent to reject claims 1-5. In addition, Applicants respectfully traverse this rejection on the grounds of prior invention. Applicants will submit a declaration of prior invention to overcome the rejections based on Wieder '765 in a supplemental response.

*The 103(a) Rejections based on Inoue '599,
Takano '116, Wieder '765, and JP 1-301219*

The Examiner rejected claims 14, 16-18 and 21-25 based on the combination of U.S. Patent 5,879,599 to Inoue and the Takano '116 patent for the reasons provided on pages 5-6 of the Office Action. The Examiner also rejected claims 14-18 as unpatentable over Inoue '599 in combination with Wieder '765 for the reasons provided on pages 6-7 of the Office Action. In addition, the Examiner rejected claims 14 and 20 based on Inoue '599 combined with the Japanese reference, and further rejected claims 36-37 as obvious in view of Inoue '599 in combination with Figures 1 and 2A for the reasons provided on pages 7-8 of the Office Action. Applicants respectfully submit that these rejections are moot in view of the incorporation of the features of allowable claim 26 in to claim 14.

CONCLUSION

All claims are believed to be in condition for allowance. If the Examiner believes that the present amendments still do not resolve all of the issues regarding patentability of the pending claims, Applicants invite the Examiner to contact the undersigned attorneys to discuss any remaining issues.

Authorization for payment of fees for a 1-month extension of time and for additional claims is provided herewith. No other fee is believed due for this response. Should any additional fees be required, however, please charge such fees to Swidler Berlin Shereff Friedman, LLP Deposit Account No. 1955127, Order No. 20002.0009.

Respectfully submitted,
SWIDLER BERLIN SHEREFF FRIEDMAN LLP

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By: 

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